



#7
Jff
2/24/99

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Eric N. Olson, Stephen R. Grant
and Jeffrey D. Molkentin

Group Art Unit: 1801

Serial No.: 09/061,417

Examiner: Unknown

Filed: April 16, 1998

Atty. Dkt. No.: UTSD:548/HYL

For: METHODS AND COMPOSITIONS
FOR THERAPEUTIC INTERVENTION
IN CARDIAC HYPERTROPHY

PATENT
RECEIVED
TECH CENTER 1600/2900
99 FEB 19 AM 10:05
GROUP 180

DECLARATION CLAIMING SMALL ENTITY STATUS
37 C.F.R. §§ 1.9(F) AND 1.27(D) - NONPROFIT ORGANIZATION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

Name of Organization: UNIVERSITY OF NORTH TEXAS
HEALTH SCIENCE CENTER

Address of Organization: 3500 Camp Bowie Boulevard
Fort Worth, Texas 76107

The type of organization is a university.

I hereby declare that the organization identified above qualifies as a nonprofit organization as defined in 37 C.F.R. § 1.9(e) (1), and thus is a "small entity" as defined in § 1.9(f), for purposes of paying reduced fees under Sections 41(a) and (b) of Title 35, United States Code, with regard to the above-referenced application.

I hereby declare that exclusive rights to the invention have been conveyed to and remain with the organization, with respect to the above-referenced invention, nor have I assigned,

granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR § 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR § 1.9(d) or a nonprofit organization under 37 CFR § 1.9(e), with the exception that the Government may have rights in the invention pursuant to a funding agreement under 35 U.S.C. § 202(c)(4): None

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.



UNIVERSITY OF NORTH TEXAS
HEALTH SCIENCE CENTER

By: Benjamin L. Cohen, D.O.
Name: Benjamin Cohen, D.O.
Title: Vice President for Health Affairs
and Executive Dean
Date: 1/15/99

By: Steve R. Russell
Name: Steve R. Russell
Title: Vice President for Financial Affairs
Date: 1/15/99

ASSIGNMENT

FOR GOOD AND VALUABLE CONSIDERATION, the receipt, sufficiency and adequacy of which are hereby acknowledged, the undersigned, does hereby:

SELL, ASSIGN AND TRANSFER to UNIVERSITY OF NORTH TEXAS HEALTH SCIENCE CENTER (the "Assignee"), having a place of business at 3500 Camp Bowie Boulevard, Fort Worth, Texas 76107, the entire right, title and interest for the United States and all foreign countries in and to any and all improvements which are disclosed in the application for United States Letters Patent, Serial No. 09/061,417 which has been filed on April 16, 1998 and is entitled "METHODS AND COMPOSITIONS FOR THERAPEUTIC INTERVENTION IN CARDIAC HYPER-TROPHY", such application and all divisional, continuing, substitute, renewal, reissue and all other applications for patent which have been or shall be filed in the United States and all foreign countries on any of such improvements; all original and reissued patents which have been or shall be issued in the United States and all foreign countries on such improvements; and specifically including the right to file foreign applications under the provisions of any convention or treaty and claim priority based on such application in the United States;

AUTHORIZE AND REQUEST the issuing authority to issue any and all United States and foreign patents granted on such improvements to the Assignee;

WARRANT AND COVENANT that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been or will be made to others by the undersigned, and that the full right to convey the same as herein expressed is possessed by the undersigned;

COVENANT, when requested and at the expense of the Assignee, to carry out in good faith the intent and purpose of this assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all such improvements; execute all rightful oaths, declarations, assignments, powers of attorney and other papers; communicate to the Assignee all facts known to the undersigned relating to such improvements and the history thereof; and generally do everything possible which the Assignee shall consider desirable for vesting title to such improvements in the Assignee, and for securing, maintaining and enforcing proper patent protection for such improvements;

TO BE BINDING on the heirs, assigns, representatives and successors of the undersigned and extend to the successors, assigns and nominees of the Assignee.

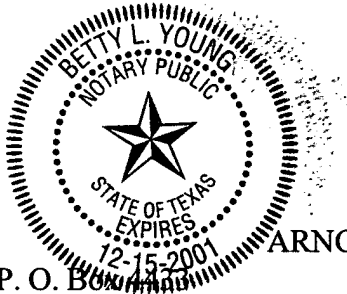
Signature: Stephen R. Grant
Name: Stephen R. Grant

Date: 01/15/99

STATE OF TEXAS)
) ss.
COUNTY OF Tarrant)

BEFORE ME, the undersigned authority, on this 15th day of January, 1998, personally appeared Stephen R. Grant, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

[SEAL]



Betty L. Young
Notary or Consular Officer

P. O. Box 1437
Houston, Texas 77210

ARNOLD, WHITE & DURKEE

2001 Jefferson Davis Hwy., Ste. 401
Arlington, Virginia 22202